

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Tyler Gishel,  
Plaintiff(s),

Case No. 1:17-cv-475  
( J. McFarland ; Litkovitz, M.J.)

vs.

University of Cincinnati, et al.,  
Defendant(s).

**ORDER SETTING SETTLEMENT CONFERENCE**

This case is hereby set for a settlement conference **on Monday, October 19, 2020**  
**at 9:00 am, (VIA VIDEO CONFERENCING).** Due to the ongoing COVID-19 pandemic and the  
current health restrictions that are in place, the Court will determine the method in which the mediation shall  
be conducted prior to the conference (in person appearance or by video conferencing/teleconferencing).

**Judge Litkovitz Civil**

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The undersigned U.S. Magistrate Judge will serve as the mediator of the settlement conference. At least **21 days prior to the Settlement Conference** plaintiff shall submit a fully documented, written settlement demand to defendant. Defendant shall have **7 days** to respond with a fully documented counter-offer.

Not later than noon, **on October 13, 2020**, each party shall submit to the Magistrate Judge only, and without formal filing with the Clerk, a confidential letter of five pages or less regarding potential settlement, which shall include:

1. A statement of the factual and legal issues;
2. An assessment of liability and damages;
3. A statement of the strengths and weaknesses of the case;
4. A summary of prior settlement negotiations;
5. A proposal as to how to settle this case now; and
6. The names and positions of all persons who will attend the settlement conference.

These confidential letters will be maintained by the Court separate and apart from the case file, and may be delivered by fax (513-564-7691) or email (litkovitz\_chambers@ohsd.uscourts.gov).

Throughout the entirety of this settlement conference, party representatives with complete authority to negotiate a settlement of the case shall be present “**in person**”.

Pursuant to S. D. Ohio Civ. R. 16.3(c), all statements made by the parties relating to the substance or merits of claims or defenses made in the case, whether written or oral, made for the first time during the settlement conference or in the settlement conference

statements required above shall be kept confidential by the Court, the parties, and counsel and shall not be admissible in evidence for any reason during the trial of this case.

**IT IS SO ORDERED.**

/s/ Karen L. Litkovitz  
United States Magistrate Judge